

Application Serial No. 10/048,114
Request for Reconsideration dated July 14, 2008
Reply to Office Action dated April 16, 2008

Note that this is an application that is downloaded from the client-smart agent at the HTTP server and, if successful, it is the client-snooper agent 159 that returns the necessary information about the client device to the client-smart agent 155. This is not the same as the client device transmitting to the HTTP server a list of useable display formats.

If the client-snooper technique is not successful, a dialog page is then sent to the user as illustrated in Fig. 6 and the user then manually selects the computer model or a picture that looks best. Again, the client device is not sending to the server a list of useable display formats.

The claims also call for the data preparing device then, accordingly to availability at the data comparing device, automatically selecting a single display format from the list of useable display formats that was sent to it. There is no such automatic selection of a single display format from a list of transmitted formats in the system and method disclosed by Himmel.

Himmel is also silent with respect to the claim limitation of a formatting device that formats, on call, the requested data into the selected display format. Himmel discloses that several web pages for different browser formats are stored and data in the appropriate browser format is sent to the client. There is no disclosure of a formatting device.

In view of the differences outlined above, it is submitted that the claims are not anticipated by Himmel. It is therefore requested that the Examiner reconsider and withdraw the rejection and pass the application to issue.

If the Examiner believes that it would be helpful to have a discussion to expedite prosecution of the application, it is requested that he telephone the undersigned at 260-460-1692.

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In the event Applicant has overlooked the need for an extension of time, payment of fee, or additional payment of fee, Applicant hereby petitions therefor and authorize that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Respectfully submitted,

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JFH/nw

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Enc. Return Postcard

CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: July 14, 2008

JOHN F. HOFFMAN, REG. NO. 26,280

Name of Registered Representative

Signature

July 14, 2008

Date